

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090292

05/14/2012

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

IN RE THE MARRIAGE OF
KIMBERLEE MAE BARNES

ANGELA M WILSON-GOODMAN

AND

JASON ROBERT BARNES

HAROLD D BURR JR.

CONCILIATION SERVICES-SE

MINUTE ENTRY

Courtroom 403 – SEA

Prior to the commencement of today's proceeding, Petitioner's Exhibits 1 through 7 and Respondent's Exhibits 8 and 9 are marked for identification.

4:12 p.m. This is the time set for Evidentiary Hearing re: Petitioner's Petition for Emergency Temporary Orders. Petitioner is present and represented by above named counsel. Respondent is present and represented by above named counsel.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

The Court has reviewed the case file and the pleadings filed by the parties.

The docket reflects that the parties appeared for a Resolution Management Conference on April 17, 2012. At that time, the parties indicated to the Court that they did not require temporary orders from the Court. Some agreements were also placed on the record at that time. Petitioner/Mother filed her emergency motion on May 8, 2012.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090292

05/14/2012

LET THE RECORD REFLECT counsel for Petitioner advises the Court that she filed a motion to continue the Trial date of June 4, 2012. Counsel for Respondent advises the Court that he has not yet received or reviewed the motion to continue.

IT IS ORDERED the parties shall participate in a **Parenting Conference**. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference. The parties shall comply with all instructions and directives issued by the Provider.

IT IS FURTHER ORDERED that immediately following this hearing Petitioner/Respondent/both parties is/are directed to pay the \$300 per party fee through the Clerk of the Court. The fee may be paid at the Clerk of the Court filing counter, by mail to the Clerk of the Court with a check or money order, or by telephone with the Clerk of Court (602-506-2800) with a debit or credit card.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. THE PARENTING CONFERENCE PROVIDER IS AUTHORIZED TO SCHEDULE THE CONFERENCE AND ACCOMMODATE REASONABLE SCHEDULING REQUESTS FROM THE PARTIES. IF YOUR SCHEDULING REQUEST IS NOT PERMITTED BY THE PROVIDER AND YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

Kimberlee Mae Barnes and Jason Robert Barnes are sworn.

Petitioner's case:

Kimberlee Mae Barnes, previously sworn, now testifies.

The witness is excused.

Petitioner rests.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090292

05/14/2012

Respondent's case:

Jason Robert Barnes, previously sworn, now testifies.

Petitioner's Exhibits 4 and 7 are offered and received in evidence.

The witness is excused.

Respondent rests.

LET THE RECORD REFLECT the Court has had an opportunity to review exhibits 4 and 7 during the course of these proceedings.

Based on the testimony and evidence presented,

The Court is inclined to find that the parties erred in not putting their parenting time agreement on the record at the time of the Resolution Management Conference.

The Court is inclined to find, while the issues raised in today's proceeding don't rise to the level of an emergency, some orders are necessary to preserve the peace until the Court can conduct a full evidentiary hearing.

IT IS ORDERED that both parties shall separately attend and complete a High Conflict Resolution class within 60 days of the date of this order. Based on this order, you will be registered and notified by mail of the date/time/location of the class. If you have any questions regarding the class to which you have been assigned, please call (602) 506-6124. A **\$50** fee is required to attend the class. Please present the instruction form or this Court Order with payment at any Clerk of Superior Court filing counter at least 5 days prior to your scheduled class. Each party must bring a copy of the payment or deferral receipt or a confirmation number of a telephonic transaction to the class to be admitted.

WARNING

IF YOU APPEAR LATE OR ATTEMPT TO ATTEND THE CLASS WITHOUT CONFIRMATION OF PAYMENT (AS DEFINED ABOVE) YOU WILL BE TURNED AWAY FROM THE CLASS. IF YOU FAIL TO ATTEND THE CLASS OR ARE TURNED AWAY, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND FOR ANY REASON, YOU MUST REQUEST AND BE GRANTED PERMISSION TO RESCHEDULE YOUR ATTENDANCE AT LEAST 24 HOURS

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090292

05/14/2012

BEFORE THE SCHEDULED CLASS. PLEASE CALL THE NUMBER LISTED ABOVE IF YOU NEED TO REQUEST TO RESCHEDULE YOUR ATTENDANCE.

IT IS FURTHER ORDERED either through the High Conflict Resolution class or another agency, each party is directed to locate and attend a class to assist the parties in co-parenting and a minimum of eight (8) one-hour sessions per week to satisfy that requirement.

With regard to Petitioner's request for additional psychological evaluation or anger management classes on the part of Respondent,

IT IS ORDERED denying Petitioner's request without prejudice subject to a further evidentiary hearing if Petitioner feels it is appropriate to pursue that request.

IT IS ORDERED that the parties continue to share joint legal custody of the minor children. Petitioner/Mother will be designated as the primary residential parent with final decision making authority on all issues except for Respondent/Father's parenting time.

The Court is persuaded that the parties did have a parenting time agreement as testified by Mother prior to the conflict that developed between the parties.

IT IS ORDERED that Father shall have parenting time with the minor children as set forth in exhibit 4 without prejudice to a further determination of whether a 5-2-2-5 split is appropriate. Father's alternating weekend parenting time shall occur from Friday at 5:00 p.m. to Sunday at 6:00 p.m. Father shall be responsible for picking the children up from Mother's residence on Friday and Mother will be responsible for picking the children up from Father's residence on Sunday. Father shall also have parenting time with the minor child on Tuesday and Thursday from 5:00 p.m. to 8:00 p.m. each day.

IT IS ORDERED directing Respondent to file a response to Petitioner's Motion to Continue Trial no later than **May 22, 2012**. The Court will rule thereafter without further argument.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090292

05/14/2012

Petitioner's Exhibits 1 through 3, 5, 6 and Respondent's Exhibits 8 and 9 are released.

5:10 p.m. Hearing concludes.

ISSUED: Exhibit Release Forms.

FILED: Exhibit Worksheet and Acknowledgment and Notice of Parenting Conference.